

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

TIMOTHY M. NASH,	)	CASE NO. 1:13-cv-1890
	)	
PETITIONER,	)	JUDGE SARA LIOI
	)	
vs.	)	<b>MEMORANDUM OPINION</b>
	)	
MARGRET BRADSHAW, Warden,	)	
	)	
RESPONDENT.	)	

Before the Court is the report and recommendation of the Magistrate Judge in the above-entitled action. Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. [ . . . ]

28 U.S.C. § 636(b)(1)(C).

The R&R was filed on August 4, 2015. (Doc. No. 14.) Under Fed.R.Civ.P. 6(d), an additional three days are added when computing service. Therefore, objections were not due until August 21, 2015.

No objections have been filed as of the date of this order. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985), *reh'g denied*, 474 U.S. 1111 (1986); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's report and recommendation and accepts the same, concluding that grounds one and two are procedurally defaulted, and ground three is non-cognizable. Accordingly, the petition for writ of habeas corpus is dismissed. Further, the Court certifies that an appeal from this decision could not be taken in good faith and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. §§ 1915(a)(3) & 2253(c); Fed. R. App. P. 22(b).

**IT IS SO ORDERED.**

Dated: August 25, 2015

  
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**HONORABLE SARA LIOI**  
**UNITED STATES DISTRICT JUDGE**